

Docket 40693
Serial No. 09/757,353

PATENT APPLICATION

REMARKS

This is in full and timely response to the final Office Action on the merits dated October 27, 2004. Reconsideration and reexamination are respectfully requested in view of the following remarks.

Claims 1-7 and 14-17 have been previously canceled. Claims 8-13 and 18-23 remain in this application with claim 8 being independent.

For the several specific reasons discussed below, the applicant respectfully disagrees with the examiner's reading and interpretation of the Nichtberger reference.

IN THE CLAIMS:

35 U.S.C. § 102(b) Rejections:

Claims 8-13, 18, and 20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. No. 4,882,675 to Nichtberger, et al. There are at least two points of novelty present in the applicant's claim 8 that are not disclosed, taught, or suggested by Nichtberger ('675) or any other patent references, whether considered singly or in combination.

First, the applicant's system includes a second database having vendor product information including at least a price and inventory information related to each vendor product. The examiner has cited col. 17, lines 45-48 of Nichtberger ('675) as disclosing this subject matter. Upon close examination, however, it is clear the Nichtberger ('675) patent does not disclose a second database having "inventory" information at col. 17, lines 45-48 or anywhere

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else. Neither Nichtberger ('675) nor any other prior art coupon processing system discloses, teaches, or suggests a coupon processing system comprising a second database having vendor product information including at least a price and inventory information related to each vendor product. As such, the applicant urges that the current rejection is improper and should be
5 withdrawn and claim 8 should be allowed, along with claims 9-13, 18, and 20 which depend therefrom and such is respectfully requested.

Second, claim 8 of the applicant's coupon processing system includes a "vendor computer adapted to modify said inventory information in said second database based on a sale of said particular product." In other words, the applicant's system incorporates inventory-
10 tracking features. These inventory-tracking features are helpful in maintaining appropriate supply levels and add to efficiency as noted in page 1, lines 18-23. There can be no doubt that these inventory-tracking features are an important object of the current invention (page 4, lines 3-6). It should be recognized that the examiner has been completely unable to address this feature of the applicant's invention. In fact, it is not possible to address this feature as it is not
15 disclosed, taught or suggested by Nichtberger ('675) or by any other prior art coupon processing system, whether considered singly or in combination. Further, because no amendments have been made to the applicant's claims, a new search of the prior art should be unnecessary. As such, the applicant strongly contends that the current rejection should be withdrawn and claim 8 should be allowed, along with claims 9-13, 18 and 20 which depend therefrom and such is
20 respectfully requested.

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35 U.S.C. § 103(a) Rejections:

Claims 19 and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Nichtberger (4,882,675). Claims 22 and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Nichtberger ('675) in view of Thompson (5,865,470). Claims 19 and 21-23
5 all depend from claim 8, which should be allowed for the reasons discussed above. As such, claims 19 and 21-23 should be allowed as depending from an allowed claim and such is respectfully requested.

Conclusion:

10 This application should now be in condition for allowance and such is respectfully requested. If the examiner has any suggestions that would place this application in even better condition for allowance, he is invited to contact the applicant's representative at the telephone number listed below.

Date: December 15, 2004

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Respectfully Submitted,



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